

protein. It is submitted that the application as presently amended overcomes all prior rejections by the Examiner.¹

In the Official Action, the Examiner rejected the elected claims under 35 U.S.C. § 112, first paragraph, on the grounds that the claimed invention was not enabled by the specification. Without addressing the merits of the rejection, this rejection has become moot by virtue of the present amendments to the claims which now relate to the specific amino acid sequences (SEQ ID NOS. 60, 61 and 103) as disclosed in Section 5.9.2.3 of the specification (pages 111-112) which are used to generate antibodies of defined specificity. In light of the fact that the present invention is now directed to the specific amino acid sequences shown to generate antibodies useful as inhibitors of fibronectin binding, the claims are clearly supported in all respects by the specification, and the Examiner's rejection under 35 U.S.C. § 112, first paragraph, should be withdrawn.

In the Official Action, the Examiner rejected Claims 33 and 37 under 35 U.S.C. § 102(b) as being anticipated on the basis of the Rozalska *et al.* reference. Claims 34-36 were not rejected on the basis of any prior art reference. The Examiner argued that since Rozalska *et al.* disclosed administration to rabbits of isolated peptides of a fibronectin binding domain which displayed binding sites in addition to fibronectin, those peptides did not "specifically bind to fibronectin" and thus anticipated Claims 33 and 37. This rejection, insofar as applied to the claims as amended, is respectfully traversed for at least the reasons that follow.

In the first place, it is clear that the Examiner recognized that the Rozalska *et al.* reference did not disclose the use of a peptide from a fibronectin binding protein which did not bind to fibronectin since this subject matter was included in Claim 34 which was not rejected on the basis

¹ With regard to the Examiner's comments concerning the listing of references in the specification, any references inadvertently omitted in the previously filed IDS documents will be submitted in a separate paper.

of prior art. In fact, the Rozalska *et al.* reference makes no disclosure or suggestion of a peptide from a fibronectin binding domain which does not bind to fibronectin, much less the specific peptides now included in independent claim 33 (as presently amended). Moreover, the primary benefit of Applicants' claimed invention is that the fibrinogen binding domain peptides which do not bind to fibronectin enable the production of antibodies which inhibit the binding of the fibronectin binding protein to fibronectin. This result could not be obtained using the antibodies disclosed in Rozalska *et al.* Accordingly, it is clear that the claims as amended, which relate to the raising of inhibiting antibodies using the synthetic peptides of the present invention, are not disclosed or suggested by the Rozalska *et al.* reference, and the Examiner's rejection on the basis of this reference is respectfully traversed and should be withdrawn.

Lastly, applicants elect to defer the filing of formal drawings until the application is allowed by the examiner.

In light of the amendments and arguments as set forth above, Applicants submit that the application in its present form overcomes all prior rejections of the Examiner and is in condition for immediate allowance. Such action is earnestly solicited.

The Examiner is invited to contact the undersigned at 713.787.1596 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. Suzy Strickland", with a stylized flourish at the end.

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